

MAY 24 2006

PTO/SB/21 (09-04)

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**TRANSMITTAL
FORM**

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Total Number of Pages in This Submission


6

Application Number	10728,972
Filing Date	12/03/2003
First Named Inventor	Jock F Tomlinson
Art Unit	2115
Examiner Name	Suresh Suryawanshi
Attorney Docket Number	L00-01001

ENCLOSURES (Check all that apply)


<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Pre-Appeal Brief Request for Review and Attachment
Remarks _____		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Lattice Semiconductor Corporation		
Signature			
Printed name	Mark L Becker		
Date	5/24/06	Reg. No.	31325

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MAY 24 2006

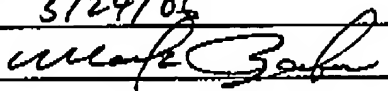
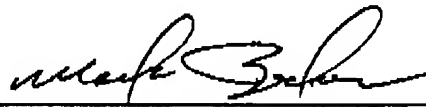
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PTO/SB/33 (07-05)

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PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) <u>LCO-010C /</u>	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>5/24/06</u> Signature <u></u> Typed or printed name <u>Mark Becker</u>		Application Number <u>10/726972</u>	Filed <u>12/3/2003</u>
		First Named Inventor <u>Toulinson</u>	
		Art Unit <u>2115</u>	Examiner <u>S. Suryanathi</u>
Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request. This request is being filed with a notice of appeal. The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.			
I am the <input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96) <input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>31325</u> <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____		<u></u> Signature <u>Mark Becker</u> Typed or printed name <u>503-268-8629</u> Telephone number <u>5/24/06</u> Date	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.			
<input type="checkbox"/> *Total of _____ forms are submitted.			

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Jock F Tomlinson
Application No.: 10/726,972
Filed: 12/03/2003
For PROGRAMMABLE POWER MANAGEMENT SYSTEM
AND METHOD
Examiner: Suresh Suryawanshi
Art Unit: 2115
Attorney Docket No. L00-010C1

PRE-APPEAL BRIEF REQUEST FOR REVIEW ATTACHMENT

Applicants request this review for at least the following reasons.

There Is No Suggestion, Teaching, Or Motivation In The Prior Art To Combine The Teaching Of The Cited References In the Manner Claimed

Under § 103(a), the Examiner rejected claims 1-6,8, 10-13, 25-29, and 31-33 as being unpatentable over Henze in view of Borza. Applicants believe that this is a classic case of hindsight reconstruction of these claims because there is no basis in the record for combining these references as the examiner has done.

Claim 1 and its dependent claims recite "A power management integrated circuit" that includes "at least one FET circuit" and control logic that is "operable, in response to an output signal from an analog monitor circuit, to generate a ramp control signal that gradually turns on the FET driver circuit." The examiner concedes that Henze does not disclose the structure or function of the FET circuit. To make up for that lack of disclosure, he points to an FET circuit in Borza:

However, Borza clearly discloses a programmable power control circuit to generate a ramp control signal that gradually turns on a FET driver circuit [Fig. 2, 4, 5; col. 4, lines 55-60; col. 5, lines 15-30; col. 6, line 63 - col. 7, line 12].

(Office action mailed March 30, 2006, page 3, third paragraph).

In fact, Borza discloses nothing of the kind. Borza describes a transcutaneous energy transfer (TET) device, which is a device for providing electrical power to an implanted mechanical or electrical medical device. Col. 1, lines 10-14. It does not disclose a power management integrated circuit, as that term is known in the art and described and claimed in the pending application. The figures and text cited by the examiner simply show and describe an FET driver that is used in the TET device. There is nothing in Borza that relates to the design and operation of power management integrated circuits.

A reason, suggestion, or motivation to combine prior art references may be found: 1) in the prior art references themselves; 2) in the knowledge of those of ordinary skill in the art that certain references, or disclosures in those references, are of special interest or importance in the field; or 3) from the nature of the problem to be solved. *Ruiz v. A.B. Chance Co.*, 234 F.3d 654, 665 (Fed. Cir. 2000). See also MPEP 2143.01. Here, none of these sources provides the required reason, suggestion, or motivation to combine these unrelated


references.

Claims 27 and 31 and their dependent claims recited similar limitations to claim 1. They stand rejected by the examiner on the same references and reasoning.

Applicants submit that the examiner's rejection of the pending claims is untenable. As the Federal Circuit has made clear on numerous occasions, "[c]ombining prior art references without evidence of such a suggestion, teaching, or motivation simply takes the inventor's disclosure as a blueprint for piecing together the prior art to defeat patentability – the essence of hindsight." *In re Dembiczak*, 175 F.3d 994, 999 (Fed. Cir. 1999). That is what has occurred in this case.

Respectfully submitted,

Date: 5/24/06

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